

<b>CONTROL OF WORKING HOURS AND WORKING ALONE</b>	<b>RPP-27195</b>	
	<b>Manual</b>	<b>ESHQ</b>
	<b>Document</b>	<b>TFC-ESHQ-S_SAF-C-03, REV B-11</b>
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## 1.0 PURPOSE AND SCOPE

(7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.1.6)

This procedure outlines work hour limit requirements and responsibilities for controlling employee fatigue when working extended work hours (overtime) and assigning employees to work alone. This procedure addresses potential hazards that arise outside the scope of normal work planning and therefore supplements the job hazard analysis process (TFC-ESHQ-S\_SAF-C-02). This procedure implements Administrative Control (AC) 5.5, "Organization," from HNF-SD-WM-TSR-006 and AC 5.5, "Organization," from HNF-15279.

This procedure outlines the requirements associated with drivers hours of service related to transportation of radioactive and hazardous materials on and off the Hanford Site under Tank Operations Contractor (TOC) cognizance. This procedure is based on specific requirements outlined in policies, procedures, and applicable federal regulations. It implements applicable requirements of U.S. Department of Transportation regulations (DOT) 49 CFR, Part 395, DOE Manual 460.2-1, 10 CFR 851 and Hanford Site wide Transportation Safety Document DOE/RL-2001-36.

This procedure applies to the employees of the TOC and its subcontractors. This procedure does not apply to emergency response activities. Time recording practices (TFC-BSM-AC-C-01) and overtime compensation requirements (TFC-BSM-HR\_CB-C-03 and TFC-BSM-HR\_AT-C-04) are not covered by this procedure. (7.1.7)

## 2.0 IMPLEMENTATION

This procedure is effective on the date shown in the header.

## 3.0 RESPONSIBILITIES

Responsibilities are contained within Section 4.0.

## 4.0 PROCEDURE

### 4.1 Extended Work Hours (Overtime)

(7.1.3, 7.1.6)

- |              |  |
|--------------|--|
| Any Employee | <ol style="list-style-type: none"><li>1. Do not work beyond the limits listed below unless a specific exemption is approved in accordance with this procedure. (7.1.3, 7.1.6)<ul style="list-style-type: none"><li>• Do not work continuously for more than eighteen hours in any 24-hour period.</li><li>• Do not work more than a total of 28 hours in any 48-hour period.</li><li>• Do not work more than 72 hours in any seven-day period.</li><li>• Do not work more than fourteen days consecutively without at least two consecutive days of rest before the next work day.</li></ul></li></ol> |
|--------------|--|

Travel time, shift turnover, and time taken for non-working lunch breaks should be excluded when calculating hours worked.

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Commercial Motor  
Vehicle Driver

2. Do not work beyond the driving limits.

- Hours of Service

The hours-of-service regulations are found in Part 395 of the Federal Motor Carrier Safety Regulations within Title 49 of the Code of Federal Regulations. These regulations apply to all employers and employees who possess a commercial driver's license (CDL).

- Limits

There are three basic rules limiting the amount of time a CDL-licensed driver of a property-carrying commercial motor vehicle may drive.

- The 11-Hour Driving Rule

This rule states that no driver may drive a property-carrying commercial motor vehicle for more than 11 cumulative hours following 10 consecutive hours off duty. Driving time is defined as all time spent at the driving controls of a commercial motor vehicle in operation.

- The 14-Hour On-Duty Rule

This rule states that a driver must stop driving upon reaching the fourteenth consecutive hour after coming on duty after having 10 consecutive hours off duty. After reaching the 11-hour driving limit or the 14-hour on-duty limit, it is permissible to continue to work, but not to drive a commercial motor vehicle until being off duty for 10 hours.

On duty time means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

On duty time shall include:

- All time at a plant, terminal, facility, or other property of an employer or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer
- All time inspecting, servicing, or conditioning any commercial motor vehicle at any time

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- All driving time as defined in the term driving time
- All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle
- All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by part 382 of this subchapter when directed by an employer
- Performing any other work in the capacity, employ, or service of an employer
- Performing any compensated work for a person who is not the primary employer.

– The 70 Hour Rule

No employer shall permit or require a driver of a property-carrying commercial motor vehicle to drive, nor shall any driver drive a property-carrying commercial motor vehicle, regardless of the number of employers using the driver's services, for any period after having been on duty 70 hours in any period of 8 consecutive days if the employer operates commercial motor vehicles every day of the week.

The rule also states that a driver may "restart" an 8-consecutive-day period after taking 34 or more consecutive hours off duty. This is a voluntary provision that allows a driver to reset his or her 70-hour clock after taking 34 hours off.

- Provisions. (7.1.6)

- Short-Haul Provision

The Department of Transportation has acknowledged that the 14-hour rule may negatively impact those who only operate locally, that is, those who return to their starting location on a daily basis. To lessen that impact, the hours-of-service rules contain an exception allowing those carriers' drivers to extend the 14-hour on-duty period by two hours once per week, under certain conditions.

Under the exception for short-haul operations, a property-carrying commercial motor vehicle driver can drive beyond the fourteenth hour after coming on duty, but not after the sixteenth hour, IF the driver:

- Was released from duty at the normal work reporting location for the previous 5 duty tours, **AND**
- Returns to the normal work reporting location and is released from duty within 16 hours, **AND**
- Has not used this exception in the previous 6 days, except following a 34-hour restart of a 7/8 day period, **AND**
- Does not drive more than 11 hours after 10 consecutive hours off duty.

There is no definition of "short haul"; rather, any driver who can meet the conditions of the exception noted above can take advantage of it.

- 100 Air-Mile Radius Exemption

If a driver stays within a distance of approximately 115 miles from his or her work reporting location, there is an exemption for that driver in the hours-of-service regulations. The exemption says that as long as the driver complies with certain restrictions, and doesn't operate too far from his or her home base, then the driver does NOT need to complete a daily log.

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According to 49 CFR 395.1(e), a driver is NOT required to make out a log if the following criteria are met:

- The driver operates within a 100 air-mile radius of the normal work reporting location (100 air miles is equivalent to 115.08 miles on the road);
- The driver returns to the work reporting location and is released from work within 12 *consecutive* hours;
- The driver must have at least 10 consecutive hours off duty between each 12 hours on duty;
- The driver must not exceed 11 hours maximum driving time; and
- The employer of the driver maintains and retains accurate and true time records for 6 months showing:
  - The time the driver reports for duty each day;
  - The time the driver is released from duty each day
  - The total number of hours the driver is on duty each day; and
  - The total time for the preceding 7 days in accordance with 49 CFR 395.8 (j) (2) for drivers used for the first time or intermittently.

The following are key points related to this exemption:

- Drivers using this exemption must continue to comply with the 70-hour rule. The exemption is only an exemption from the requirements of 49 CFR 395.8, the duty status record (log) requirements.
- A driver who fails to comply with the requirements of this exemption on any given day must complete a standard log for that day. The log must be started as soon as the driver becomes aware that the requirements of the 100-air-mile exemption will not be met.

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- To ensure compliance with the 70-hour rules, the employer must also keep time records for days during which the driver does not work. In other words, the time records must show when a driver has been off duty for an entire day or more. The employer must also maintain records of on-duty time the driver accumulates with other employers, because those hours count against the allotted 70 hours.
- Drivers using this exemption are not required to have copies of the time records in their possession, nor any other documents showing that they are using this exemption.

The 100 Air-Mile Radius Exemption and Short Haul Provision apply to drivers on the Hanford Site.

– Combining Short-Haul and 100-Air-Mile Exemptions

Note that a driver using the 100-air-mile exemption must be released within 12 hours, whereas a driver using the short-haul exemption must be released within 16 hours. Therefore, a driver may not use both of these exemptions on the same day, because a short-haul driver who stays on duty for 14-16 hours would not be eligible for the 100-air-mile exemption. However, a 100-air-mile-radius driver who normally does not complete a log could use the short-haul exemption as long as he or she completes a standard log for *that day*.

Line Manager of the  
affected employee(s)

3. Schedule employee(s) to work extended work hours within the constraints of steps 1 and 2 and based on the following priority:

- Working extra hours on a scheduled day off
- A two- to four-hour extension of work on a scheduled work day
- Six-hour extension of work on a scheduled work day
- Eight-hour extension on a scheduled workday (exception: 12-hour shift workers).
- If employee works extended hours under a specific exemption, document exempt hours (step 1) worked in the TIS Database.

This does not apply to drivers of commercial motor vehicles.

Employee

4. When scheduled or directed to work extended hours:
  - a. Confirm that working the extended hours will not exceed any of the limits identified in step 1 or 2.
  - b. If the limits will be exceeded, inform the line manager before working the extended hours.
  - c. If a commercial motor vehicle driver, inform the line manager that limits from step 2 cannot be exceeded.

Line Manager of the  
Affected  
Employee(s)

5. If scheduling employee(s) to work extended work hours exceeds the constraints of step 1, consider the following factors before requesting an exemption:
  - Could the employee create a risk to themselves or others as a result of fatigue?
  - Can the added workload be shared with other qualified employees within the same classification to reduce the burden on an individual employee?
  - Is it vital that work be performed on overtime? (That is, will there be an adverse effect on safety, health, or the environment if employees working for extended periods do not continue the task).

This list is not all-inclusive and should be used as a guide to the factors to be considered when deciding to extend employee work hours.

6. If requesting an exemption, document the request:
  - a. Describe the circumstances requiring exemption(s) to the work hour restrictions.
  - b. Summarize the work scope complexity and related hazards.
  - c. Identify specific control measures to be enacted to reduce or mitigate the fatigue hazard both during the work activity and ensuring safe travel home.

E-mail documentation is acceptable. No exemption shall be requested or granted greater than 10% above the applicable limit. See Table 1 for maximum extension limits.

7. Route the request for approval to the director of the organization to which the affected employee belongs.



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Level 2 Manager of  
the Affected  
Employee(s)

8. Review the exemption request:

- a. If the request is rejected, inform the requester.
- b. If the request is granted, document the approval.

E-mail documentation is acceptable. Level 2 Manager-level management may not grant extensions beyond 10% of the applicable limit. See Table 1 for maximum extension limits.

Line Manager

9. Communicate the fatigue hazards and controls (from step 6.c) to the employee(s) prior to commencing work.

#### 4.2 Working Alone (7.1.3, 7.1.6)

Line Manager

1. Analyze each work assignment and evaluate the hazards to decide whether it requires the presence of two or more employees to ensure worker safety.

It is impossible to provide a list of all jobs that may warrant the assignment of more than one employee to ensure worker safety. The following activities represent examples of typical two or more person assignments:

- Working within a permit-required confined space (DOE-0360).
- Applying a safety monitor system (“spotter”) for fall protection (DOE-0346).
- Performing hot work outside of a designated shop area (TFC-ESHQ-FP-C-01).
- Working in atmospheres requiring the use of a supplied breathing air system (TFC-ESHQ-S\_IH-C-05).
- Work involving heavy machinery or equipment operations at isolated locations (hoisting or lowering heavy loads on cable tool drilling rigs; TFC-ESHQ-S\_IH-C-05).
- Working with toxic, hazardous, or high-pressure chemicals (TFC-ESHQ-S\_IH-C-47).

2. If clarification or guidance is needed for the analysis, consult with the appropriate Safety and Health Support organization.

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3. If the analysis determines the risks inherent in the work do NOT require assigning two or more people to ensure worker safety, perform the following before work begins:
  - a. Establish the means of communication with the employee.  
  
Communications media may include radio, telephone, cellular phone, or face-to-face (scheduled check-ins).
  - b. Establish the specific frequency of communication with the employee.
  - c. Determine actions to take if the employee does not respond to communication attempts.
4. Contact the employee at the frequency established to verify his/her well-being.

## **5.0 DEFINITIONS**

No terms or phrases unique to this procedure are used.

## **6.0 RECORDS**

No records are generated in the performance of this procedure.

## **7.0 SOURCES**

### **7.1 Requirements**

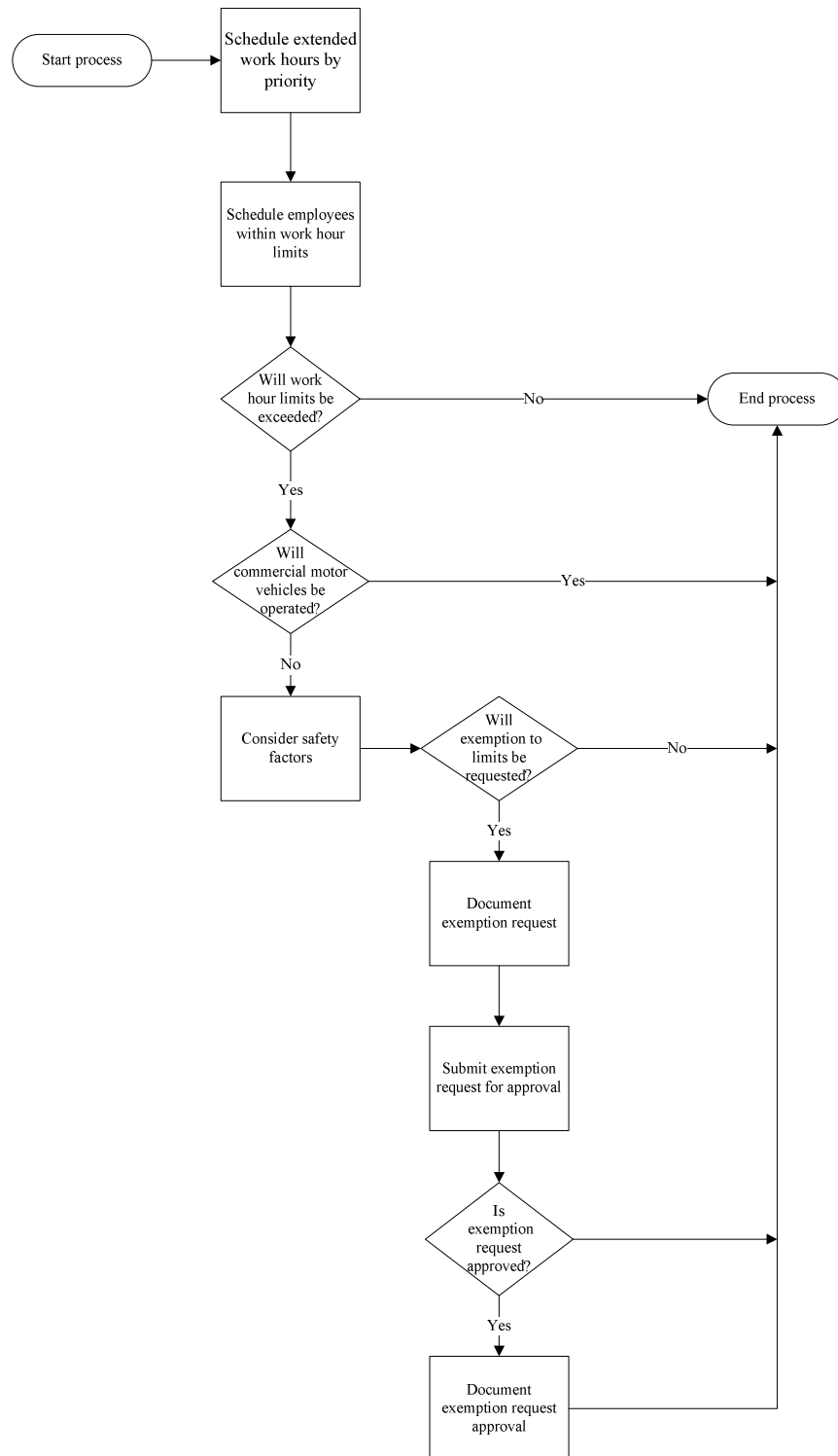
1. 10 CFR 851, "Worker Safety and Health Program."
2. 49 CFR 395, Section 3 and 8, U.S. Department of Transportation, Federal Motor Carrier Safety Regulations, "Hours of Service of Drivers – Maximum Driving and On Duty Time."
3. DOE M 460.2-1, "Radioactive Material Transportation Practices Manual."
4. DOE/RL-2001-36, "Hanford Site wide Transportation Safety Document."
5. HNF-15279, "242-A Evaporator Technical Safety Requirements."
6. HNF-SD-WM-TSR-006, "Tank Farms Technical Safety Requirements."

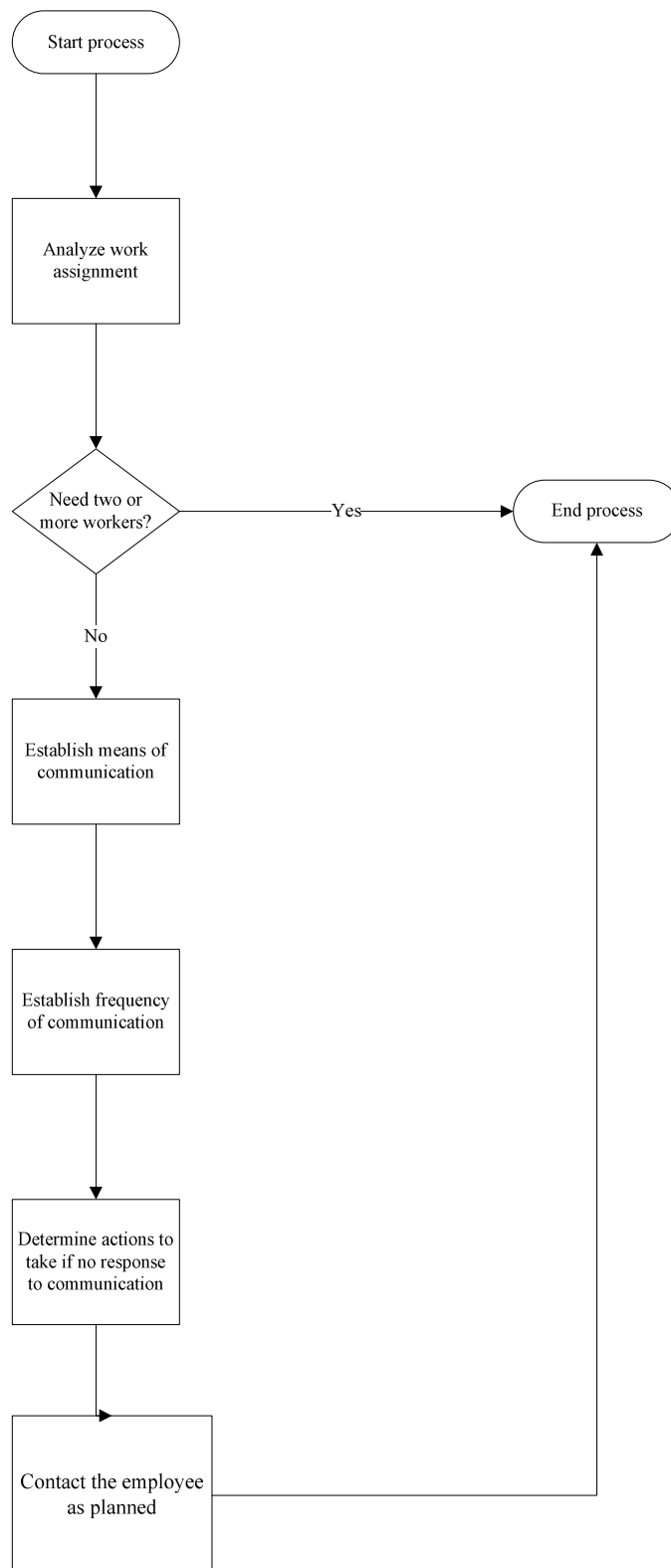
### **7.2 References**

1. 10 CFR 830, "Nuclear Safety Management."
2. DOE-0346, "Hanford Site Fall Protection Plan."
3. DOE-0360, "Hanford Site Confined Space Procedure."

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4. DOE O 460.1B, "Packaging and Transportation Safety."
5. DOE-RL, Mission Support Alliance contract, DE-AC06-09RL14728, April 28, 2009, as amended.
6. DOE/RL-94-02, "Hanford Emergency Management Plan."
7. HNF-5183, "Tank Farms Radiological Control Manual."
8. J. J. Keller & Associates, Inc., "Hours of Service & Driver Logs Workbook."
9. RPP-MP-003, "Integrated Environment, Safety, and Health Management System Description for the Tank Operations Contractor."
10. TFC-BSM-AC-C-01, "Time Keeping."
11. TFC-BSM-HR\_AT-C-03, "Personal Time Bank and Other Absences."
12. TFC-BSM-HR\_AT-C-04, "Exempt Overtime and Shift Differential."
13. TFC-BSM-HR\_CB-C-03, "Salaried Non-Exempt Overtime and Shift Differential."
14. TFC-BSM-IRM\_DC-C-02, "Records Management."
15. TFC-ENG-FAC SUP-C-25, "Hoisting and Rigging."
16. TFC-ESHQ-ENV-STD-02, "PCB Program Management Plan."
17. TFC-ESHQ-EP-C-01, "Emergency Management."
18. TFC-ESHQ-FP-C-01, "Controls for Safe Hot Work."
19. TFC-ESHQ-S\_IH-C-05, "Respiratory Protection."
20. TFC-ESHQ-S\_IH-C-47, "Chemical Management Process."
21. TFC-ESHQ-S\_SAF-C-02, "Job Hazard Analysis."
22. TFC-PLN-02, "Quality Assurance Program Description."
23. TFC-PLN-33, "Waste Management Basis."

**CONTROL OF WORKING HOURS  
AND WORKING ALONE****Figure 1. Extended Working Hours.**

**Figure 2. Working Alone.**

**Table 1. Maximum Overtime Allowed.**

Rules: 1) No more than 18 hours (19.8 with exemption) in 24 hours  
 2) No more than 28 hours (30.8 with exemption) in 48 hours  
 3) No more than 72 hours (79.2 with exemption) in rolling 7-day period

To answer a question about any other combination of allowed overtime, please contact your safety professional who will assist you with the calculation.

**Table 2. Maximum Extension Limits.**

WORK PERIOD	ANY 24 HOUR PERIOD	ANY 48 HOUR PERIOD	ANY 7 DAY PERIOD	14 CONSECUTIVE DAYS
Normal limit	18 hours	28 hours	72 hours	14 days requires 2 days rest prior to next work day
Level 2 Manager approval	19.8 hours	30.8 hours	79.2 hours	15.1 days requires 2 days rest prior to next work day